

All Students Can Achieve Act

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This legislation strives to improve the quality and equality of our education system. A good education is the best way to help every child realize their American dream. No Child Left Behind must adhere to the basic principle that each child can learn, and that all children, no matter where they live in the country, are entitled to an education that prepares them to succeed in life.

1. Moving To Student Achievement Growth and Effective Teachers

Teachers are the most important factor in school and student achievement. This section requires states to measure teacher and principal effectiveness. An effective teacher is one that can demonstrate learning in the classroom. Funds are provided for states to assess effectiveness primarily through objective measures of student growth and achievement (“growth models”), while allowing secondary consideration of other factors including peer and principal evaluations. This legislation requires and funds the development of data systems to track individual student performance over time and to link that performance to teachers, programs and services. States with adequate data systems and plans for measuring effectiveness may use growth models for determining Adequate Yearly Progress (AYP). Schools that demonstrate teacher effectiveness will have greater flexibilities to opt out of the Highly Qualified Teacher requirements. States can also gain flexibilities in their use of federal funds as long as those funds principally still target students with the highest needs.

Components:

- Require and fund the development of state longitudinal data systems, with common data elements, to track student growth over time and to link student development to key items including teachers, programs and supplemental services. A portion of the funding is available for consortia of states to develop infrastructure and systems for multi-state use.
- States will need to complete data systems within four years. If states already have data systems meeting the necessary criteria or complete their systems in less than four years, their funds may be used for the development, enhancement and/or implementation of teacher and principal effectiveness and growth model programs. Up to one-third of the funds appropriated for data systems may go to regional state consortia.
- Provide funds for states to implement teacher and principal effectiveness evaluations primarily through objective measures of student learning growth. Teachers not rated as effective will receive professional development. After five years of continuously being rated as ineffective, these teachers would no longer be permitted to teach in Title I schools.

- States with a plan to measure teacher effectiveness may adopt a growth model for accountability. Students will need to be on a trajectory toward proficiency in reading / language arts and math by 2014 and science by 2020. The annual goals must be based on grade-level proficiency, with a limited exception for students with severe cognitive disabilities. States currently in the growth model pilot may continue in that pilot.
- Provide flexibility for schools and districts that actually demonstrate effectiveness by allowing them to opt out of the Highly Qualified Teacher (HQT) provisions. These schools and districts would also be able to benefit from greater flexibility in their use of federal funds, as long as those funds still target students with the highest needs and their states adopt or maintain rigorous standards and assessments. States may apply to be permitted to increase from 50% to 100% the amount that may be transferred from other Titles into Title I where they are making AYP and states have a successfully peer-reviewed teacher and principal effectiveness program.
- Provides grant funds for innovative programs to evaluate professional development activities and to reform teacher compensation, assignment, and tenure policies. These reforms may include better pay to better teachers and incentives for the best teachers to teach in high need schools.

2. Closing the Achievement Gap

This section takes steps to tackle the continuing achievement gap in the country. It addresses the situation where many students do not get a good education simply because of where they live. It promotes the notion that education anywhere should prepare you for life everywhere. Among other things, this section requires the equitable distribution of non-Federal funds within school districts; provides incentives for school professionals through teamwork in the poorest schools to make the greatest improvements in student performance; provides funds for out-of-district transfers to public schools for students without viable alternatives; provide equitable funding and flexibility under the Charter School Program; and disaggregates graduation rate data requiring the gap in graduation rates to be closed.

Components:

- Require that Title I and non-Title I schools have an equitable distribution of non-Federal funds. States will perform a needs assessment to identify disproportionate funding.
- Provide a school-based rewards system that recognizes the teamwork of teachers, administrators, counselors, librarians and media specialists, and other staff necessary to improve schools. Schools in the bottom third of income of Title I schools in the state that show exemplary growth in student performance will be eligible. Funding may be used for non-recurring bonuses for teachers, administrators and staff; professional development for teachers, administrators and staff; the addition of temporary personnel to continue school improvement;

and reduced teaching schedules to permit limited numbers of teachers to act as mentors at their school and/or at other Title I schools.

- Grants for students in schools missing AYP for three or more consecutive years with no available alternative public school options, due to all the other schools failing to make AYP within the school district or a lack of room in other schools, to transfer to a public school outside of their district with the federal funds following the student. Students will need to be from low income families. Receiving schools will be public schools within another nearby district agreeing to accept students. Under this pilot program, the receiving district will receive funding, up to \$4000, for tuition, fees and transportation; safe harbor against missing AYP due to recent transfers (transferred students may be excluded from AYP calculation for their first year); and provided funds, up to \$1000 per student, for mentoring new students and for parental involvement programs.
- Require independent audits of space availability for in-district transfers for school districts containing schools in need of improvement.
- Elementary schools identified for school improvement shall administer developmental screens and assessments to incoming preschool and kindergarten. These screens and assessments will be used to plan for and improve instruction and needed services.
- Disaggregate graduation rate data and work to close the achievement gap where subgroups are significantly falling behind.
- Enhance the Charter Schools Program to allow schools under restructuring to close and reopen themselves as charters, even if that would exceed a state cap on the number of charter schools. Preference is given under the program to states that fund charter schools commensurate with their funding of other public schools.

3. Setting and Achieving High American Standards

This section addresses the need to promote rigorous standards and assessments of student learning to ensure that students succeed in life. Nothing in this section would interfere with local flexibility in how to teach. The National Assessment Governing Board, with local, state and national representatives, is expanded with more business leaders and teachers. They will develop world-class voluntary American learning standards and assessments in reading, math and science while ensuring that the standards and assessments are aligned with life, college and workplace readiness skills.

States may choose to adopt these standards and assessments. In return, they will receive the assessments, including alternative assessments designed specifically for students with disabilities and English language learners, and the infrastructure for administering them. This will free these states to concentrate their education resources in other critical need areas. States may also build their own assessments based upon the American learning standards or keep their existing rigorous standards and tests. State standards and tests, however, will be compared to the rigorous voluntary American standards.

State leaders from higher education, schools, businesses and government will work, through P-16 Commissions, to align standards, assessments and curriculum from pre-school through college to ensure that high school and college graduates have up-to-date skills needed to succeed in life.

Components:

- Directs the National Assessment Governing Board, where more business leaders, teachers and other representatives are added, to develop world-class voluntary American learning standards and assessments in reading, math and science in grades 3-12. Alternate assessments will be developed for students with disabilities and English language learners.
- States may adopt the American standards and tests, build their tests to the American standards, join standards and assessments from regional consortia, or keep their current systems. The Secretary of Education will report to the Congress and public annually on the variance between the rigor of state assessments and the Commission's assessment.
- Require states to ensure that they have the standards, assessments and curriculum aligned to meet life, college and workplace needs, including critical thinking and problem solving skills, from preschool to college, through P-16 Commissions. These Commissions, headed by the Governor or the Governor's designee, will also address ways that economically disadvantaged students, students from each major racial and ethnic group, students with disabilities, and English language learners will increase their success in postsecondary education. .

4. Improvements to Accountability

This section distinguishes those schools needing intensive interventions, i.e. schools with a majority of students missing AYP, from schools missing AYP for less than half the student population. This division permits more resources to be directed to those schools with pervasive problems while other schools concentrate on improving learning for specific subgroups or within particular areas of need. This change also alleviates a common criticism that a single subgroup, especially students with disabilities, will single-handedly move a school into restructuring.

The vague restructuring option that permitted "any other major restructuring of the school's governance" is eliminated while a limit is provided on the percentage of schools required to implement comprehensive restructuring within a single school district in a given year. This legislation addresses modified and alternative achievement standards and related assessments for students with disabilities and provides more time in AYP calculations for students exiting the English language learner subgroup. Schools and districts will be held more accountable for students with disabilities and English language learners by placing upper limits on the minimum number of students that need to make up a subgroup. It also limits the practice of using very wide statistical error ranges when determining success.

Funding school improvements continues to be a critical need. This legislation increases the authorization for the School Improvement Grants program and distributes new funds to states according to the number of schools they have under improvement. This distribution provides incentives for a more accurate portrayal of schools not meeting Adequate Yearly Progress as states with more schools under improvement will receive a larger share of funds.

Components:

- Schools with a majority of their students missing AYP will follow an intensive program of attention. Supplemental Education Services (SES) will be available in the second year under improvement, one year earlier than under the present law. Schools in the final year of restructuring, limited to no more than 10% of schools, as determined by the state, within a given district in a single year, will have similar options to those existing now except that the option for “any other major restructuring of the school's governance” is eliminated.
- Schools missing AYP due to one or more subgroups, but less than 50% of the student population, will go through a targeted attention program to address the problem areas. This program will include identification of specific actions to address the subgroups in need. SES and school transfers are still offered as options for economically disadvantaged students failing to make AYP.
- AYP calculations by states will have limits on student thresholds, N-size no greater than 20-30, and statistical confidence intervals, no greater than 95% confidence.
- States may develop modified academic achievement standards and use alternate assessments based on those modified grade-level achievement standards for students with persistent academic disabilities for up to 1% of students tested (down from current regulations of 2%). School districts showing strong evidence of a significantly larger percentage of students than the national average with disabilities within the district or an individual school, perhaps due to a facility focusing on students with disabilities, may apply to the state to use a higher percentage. States may also use alternate assessments based on alternate achievement standards for students with the most significant cognitive disabilities for up to 1% of students tested.
- Expand, from two to three years, the amount of time English language learners may be included in AYP calculations after they become proficient and exit the subgroup.
- Substantially increase funding for the School Improvement Grants program while linking the federal distribution of additional funds to the number of school under improvement. This provides incentives for a more accurate portrayal of schools not meeting Adequate Yearly Progress as states with more schools under improvement will receive a larger share.

5. Enhancing Learning

There are various other ways to support enhancements to student learning and achievement including making it easier to access SES services and providing ways to better inform and involve parents. Innovative approaches to education and successful innovations by charters need to be provided for use in schools. States and districts successful at meeting AYP and at measuring teacher effectiveness should have greater flexibility in transferring funds to the most critical areas they have within No Child Left Behind.

Components:

- Districts that permit other non-school-affiliated entities to use school facilities will need to offer, with limitations, space in schools for private providers of SES services.
- Permit multi-district cooperatives for administering SES programs and services.
- Authorize grants for an Adjunct Teacher Corps program to bring math, science and critical foreign language professionals into public secondary schools to work with teachers and students. These adjunct teachers will provide expertise and assistance to teachers during their first year and in subsequent years will be held accountable under the teacher effectiveness requirements.
- Given its importance to American competitiveness, science will be added to the accountability system with all students to be proficient by the 2019-2020 school year with successful models of math and science partnerships expanded and replicated.
- Support increased peer-reviewed research and development on innovative approaches to education and ways to improve learning to allow states, districts, schools and students to better meet the goals of No Child Left Behind.
- Strengthen parental involvement in and notification by schools including having states designate an office or position responsible for overseeing implementation of parent involvement provisions. Parent Information and Resource Centers will be integrated into increased parental involvement plans.
- Amend the McKinney-Vento provisions to protect children in transition, including both children who lack a fixed, regular, and adequate nighttime residence, and children who are in out of home care in the custody of the public child welfare agency.